



DEPARTMENTAL GENERAL ORDER

I-20: GUNSHOT LOCATION DETECTION SYSTEM

Effective Date: XX Apr 19

Coordinator: Ceasefire Division

The Oakland Police Department (OPD) strives to use technology that promotes accountability and transparency. This policy provides guidance and procedure for response, immediate actions, follow up, documentation, and auditing of OPD's Gunshot Location Detection (GLD) System incidents that occur within the City of Oakland.

All data, whether sound, image, or video data, generated by OPD's GLD System are for the official use of this department. Because such data may contain confidential information, such data is not open to public review.

A. Description of the Technology

OPD uses a GLD System (currently the ShotSpotter® Flex™ system, provided by ShotSpotter, Inc. "Shotspotter") to record gunshot sounds and use sensors to locate the origin of the gunshots. The GLD system enables OPD to be aware of gunshots in the absence of witnesses and/or reports of gunshots to OPD's Communications Division (Communications). The GLD system quickly notifies Communications of verified gunshot activations, which allows OPD to quickly respond to gunshots and related violent criminal activity.

A – 1. How Shotspotter Works

OPD's GLD system employs acoustic sensors strategically placed in specified areas (commonly referred to as a "coverage area.") When a gun is fired, the sensors detect shots fired. The audio triangulation of multiple installed sensors then pinpoints a gunfire location and sends the audio file and triangulation information to Shotspotter Headquarters (HQ) for gunshot verification. Verified gunshots and related information are then sent to Communications in real-time so that Communications may notify responding officers where guns were fired.

A – 2. The GLD System

There are three components to GLD system:

1. GLD Sensors: Sensors are installed in different coverage areas in Oakland. Oakland currently has five coverage areas (or phases) where sensors are installed to triangulate gunshots.
2. ShotSpotter Headquarters (HQ): Sensors send acoustic information to HQ where computer-based machine-learning algorithms are used to analyze the sound. If the sound and visual audio signature match gunfire, the incident file is then passed along to the Incident Review Center (IRC). Acoustic

experts at the IRC review incidents within seconds and provide additional information (e.g. number of gunshots, number of guns, types of guns). Confirmed gunshots are pushed out to Communications (dispatch) as well as to the OPD Shotspotter software system within seconds.

3. The OPD Shotspotter Software System: This system is cloud-based and desktop-based; OPD authorized personnel can use internet browsers to connect to the Shotspotter system via OPD computers. Certain authorized personnel use desktop applications that connect to the Shotspotter system for more in-depth gunshot analysis.

B. General Guidelines

B – 1. Authorized Users

Personnel authorized to use the GLD system or access information collected through the use of such equipment shall be specifically trained in such technology and authorized by the Chief of Police or designee. Such personnel shall be limited to designated captains, lieutenants, sergeants, officers, police service and/or evidence technicians, and crime analysts unless otherwise authorized.

B – 2. Restrictions on Use

1. Department members shall not use, or allow others to use the GLDS acoustical recording equipment, software or data for any unauthorized purpose.
2. No member of this department shall operate GLD equipment or access Shotspotter data without first completing department-approved training.
3. Authorized personnel may access the GLD system via vehicle computers and receive notifications of verified GLD activations. OPD Communications may also notify authorized personnel of Shotspotter activations. Authorized personnel may respond to such notifications based upon priorities as mandated by their supervisors.
4. The GLD system shall only be used for official law enforcement purposes.
5. Only specifically authorized personnel authorized by the Chief or Chief-designee (e.g. personnel with OPD's Ceasefire Unit and CID crime analysts) will have access to historical GLD system data via desktop GLD system applications.

The GLD system may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using Shotspotter to scan gunshot locations to investigate gunshot evidence and/or related crime scenes.

6. Accessing data collected by the GLD system (currently Shotspotter) requires a right to know and a need to know. A right to know is the legal

authority to receive information pursuant to a court order, statutory law, or case law. A need to know is a compelling reason to request information such as direct involvement in an investigation.

C. Shotspotter Data

C – 1. Data Collection and Retention

GLD system data is currently maintained in perpetuity, both by Shotspotter HQ as well as on OPD's desktop applications. Shotspotter data is not connected to any personal data.

C – 2. Data Security

All data will be closely safeguarded and protected by both procedural and technological means:

1. Authorized personnel may access the browser-based GLD system via vehicle computers to only access the cloud-based system. Authorized personnel must always gain access through a login/password-protected system which records all login access.

Only specialized crime analysts and investigators within OPD's Criminal Investigations Division (CID) will be provided access to GLD system desktop applications; desktop applications are only accessible through a login/password-protected system authentication which records all login access.

2. Members approved to access GLD system data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to gunshots, a specific criminal investigation or department-related civil or administrative action.
3. All verified GLD system activations are entered into OPD's computer-aided dispatch (CAD) record management system (RMS) with GLD system-specific ID numbers. Authorized personnel can then query the CAD/RMS system for any and all GLD system activations. GLD system audits shall be conducted on a regular basis by the Ceasefire Division. The purpose of these audits is to ensure the accuracy of ALPR Information and correct data errors.

C – 3. Releasing or Sharing GLD System Data

GLD system data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures:

1. The agency makes a written request for the Shotspotter data that includes:
 - a. The name of the requesting agency.

- b. The name of the individual making the request.
 - c. The intended purpose of obtaining the information.
2. The request is reviewed by the Bureau of Services Deputy Chief/ Deputy Director or designee and approved before the request is fulfilled.
 3. The approved request is retained on file.

Requests for Shotspotter data by non-law enforcement or non-prosecutorial agencies will be processed as provided in Departmental General Order M-09.1, Public Records Access (Civil Code § 1798.90.55) and per any interagency agreements.

D. GLD System Administration

OPD's GLD System is installed and maintained by Shotspotter in collaboration with OPD. Oversight of the system as well as data retention and access, shall be managed by OPD's Ceasefire Division.

D – 1. GLD System Coordinator

The title of the official custodian of the GLD System (Shotspotter Coordinator) is the Captain of the OPD Ceasefire Division, or designee.

D – 2. GLD System Administrator

The Ceasefire Captain shall administer the GLD system, implementation and use, in collaboration with OPD's Criminal Investigations Division (CID). The Ceasefire Captain, or designee, shall be responsible for developing guideline, procedures, and processes for the proper collection, accuracy and retention of GLD System data.

D – 3. Monitoring and Reporting

The Oakland Police Department will monitor its use of the GLD system to ensure the accuracy of the information collected and compliance with all applicable laws, including laws providing for process, and time period system audits.

The Shotspotter Coordinator shall provide the Chief of Police, Privacy Advisory Commission, and Public Safety Committee with an annual report that contains following for the previous 12-month period:

1. The number of Shotspotter activations received by the OPD.
2. A list of agencies other than OPD that were authorized to use the equipment.
3. A list of agencies other than the OPD that received information from use of the equipment.
4. Information concerning any violation of this policy.
5. Total costs for maintenance, licensing and training, if any.
6. The results of any internal audits and if any corrective action was taken.

The above information and reporting procedures will assist in evaluating the efficacy of this policy and equipment.

D – 4. Training

The Training Section shall ensure that members receive department-approved training for those authorized to use or access the Shotspotter system and shall maintain a record of all completed trainings.

Training requirements for employees authorized to use the GLD system include completion of training by the GLD System Coordinator or appropriate subject matter experts as designated by OPD. Such training shall include:

- Applicable federal and state law
- Applicable policy
- Memoranda of understanding
- Functionality of equipment
- Accessing data
- Safeguarding password information and data
- Sharing of data
- Reporting breaches
- Implementing post-breach procedures

Trainings for Communications personnel (dispatchers and operators) may include training on how to acknowledge the GLD system activations and how to use the system software to identify activation locations so as to provide information to responding officers.

Training updates are required annually.

By Order of

Anne E. Kirkpatrick
Chief of Police

Date Signed: